



Memorandum

DATE: November 11, 2010

TO: Board of Public Works

FROM: Mayor Merkes
Mark Radtke, Director of Public Works
Greg Keil, Community Development Director

RE: Consideration of Calumet County Proposal to Transfer Jurisdiction of
CTH LP (Lake Park Road) to Local Municipalities

Calumet County, the Town of Harrison and the City of Menasha have been in discussion this past year regarding the possible transfer of county trunk highway status from CTH LP (Lake Park Road) to the proposed Eisenhower Drive in the Town of Harrison and City of Appleton. Last week we met with Calumet County, Harrison and Appleton to further discuss the impacts to each community in completing that transfer. Calumet County requested the City of Menasha formally take action on the proposal to transfer county trunk highway status from CTH LP to Eisenhower Drive.

CTH LP currently extends along Lake Park Road from USH 10 north to CTH AP (Midway Road). The west half of CTH LP south of Manitowoc Road is located in the City of Menasha. The remaining portions are located in the Town of Harrison. The Town of Harrison has received notice of funding within the STP–Urban Program for the construction of Eisenhower Drive from USH 10 to CTH AP. The Town has started engineering for this project and is hopeful of having Calumet County participate in the local cost share for the completion of this project, which is estimated to cost \$2.6 million.

The likelihood of Calumet County's participation depends on the designation of Eisenhower Drive as a county highway. Because CTH LP is located less than one mile west of the proposed Eisenhower Drive corridor, Calumet County does not want to take jurisdiction of Eisenhower Drive without transferring the jurisdiction of Lake Park Road to the Town of Harrison and the City of Menasha. If Lake Park Road were to be transferred to the locals, we would be responsible for all maintenance on our portion of that highway, although there would be potential benefits to assuming local jurisdiction. Those benefits would be a minor increase in the amount of State General Transportation Aids and the control over access points onto Lake Park Road. In addition to the maintenance costs, another possible detriment to the City is the loss of

the county highway designation on Lake Park Road which may negatively influence developers as they apply their selection criteria to potential development sites.

The Town of Harrison and Calumet County have approached the City with a proposal to make the transfer of CTH LP from Lake Park Road to Eisenhower Drive. City staff agrees that another major north-south transportation corridor between CTH LP and CTH N would be beneficial to the region. If there are terms of the jurisdictional transfer that benefit the City of Menasha, we would not necessarily be opposed to the transfer. Attached to this memo is a map indicating forecast traffic volumes for Year 2035 with and without Eisenhower Drive.

As previously stated, we have been meeting with the involved entities to discuss possible options. Calumet County has made several proposals to Harrison and Menasha at these meetings regarding the reconstruction or resurfacing of CTH LP. There has been discussion of a complete reconstruction to a 3-lane urban facility at costs estimated from \$2.8 million (asphalt pavement) to \$3.5 million (concrete pavement) with an equal three-way cost share agreement, and a rural reconstruction project (asphalt pavement) at an estimated cost of \$522,000, totally funded by Calumet County. Transfer of jurisdiction would occur upon completion of the work.

City staff did not see this transfer as being in the City's best interest because of long term cost implications to the City. Therefore, we countered the County's proposal with one that both the City and the Town felt worthy of consideration:

1. Resurface CTH LP as a rural 2-lane facility when the County deems appropriate (County funded)
2. County participation in the construction of Eisenhower Drive (as scheduled) with the Town of Harrison (STP/local/County funds)
3. Delay the jurisdictional transfer of CTH LP from Lake Park Road to Eisenhower Drive for 10-15 years, at which time Lake Park Road would be reconstructed to an urban section with the Town and City contributing 25% each and the County funding 50% of the total local share (unknown State/Federal participation). Lake Park Road would be a shared Town/City road following the reconstruction.
4. The City would ask for 1-2 additional access drives along Lake Park Road during the interim period, as the need might arise.

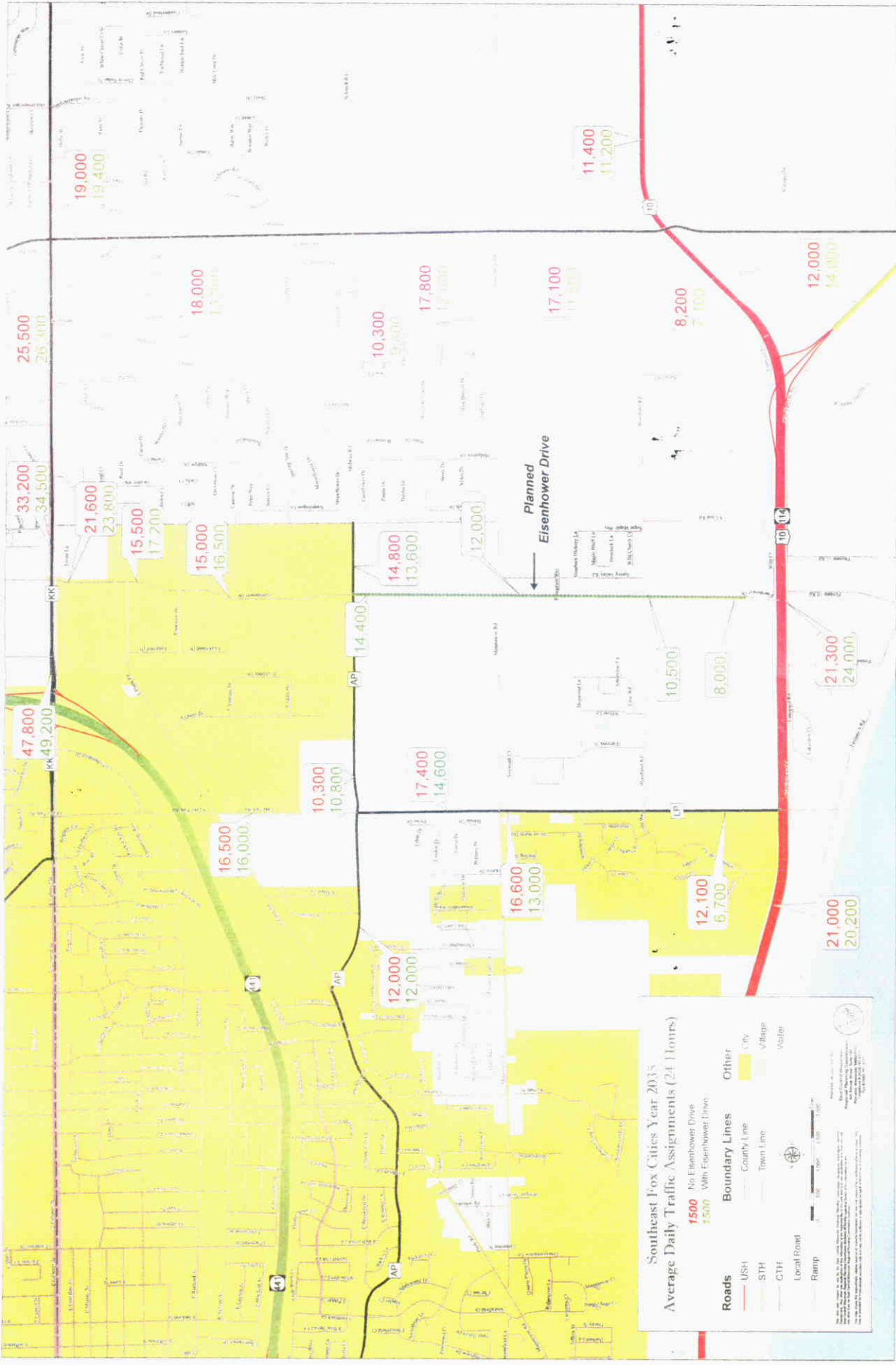
Calumet County did not agree with that proposal and offered another in response which essentially stipulated the County would pulverize and pave, in 2011 and 2012, CTH LP from USH 10 to Midway Road at no cost to the City or Town. The estimated cost is \$551,000. Upon completion of this work, jurisdiction of this segment would be transferred to the City and Town.

Calumet County, Harrison, Appleton, Menasha and East Central Regional Planning Commission staff met last week to discuss this and other possible proposals. We indicated this most recent County proposal, in our opinion, would not be favorable to the

City due to long term cost commitments and loss of county trunk highway status. We did realize the overall regional significance of constructing Eisenhower Drive so we offered two other options for consideration. The first is to detach our portion of Lake Park Road to the Town of Harrison (with certain access rights for the abutting City properties). They would then have control of the entire Lake Park Road right of way. The Town has rejected that offer at this point. We also suggested that Lake Park Road and Eisenhower Drive both be county trunk highways but Calumet County objects to that because the spacing between two county highways would be less than their prescribed standards.

The City is currently being challenged in maintaining its existing infrastructure due to financial restraints and obligations. The long term cost implications of accepting jurisdiction of Lake Park Road are significantly unfavorable to the City. Additionally, a portion of this corridor involves an important commercial development opportunity for the City. The loss of county trunk designation for Lake Park Road could have a damaging impact to that initiative as well. Therefore, it is our recommendation that the City reject the most recently proposed draft agreement from Calumet County regarding the jurisdictional transfer of CTH LP.

Enclosures



Mark Radtke

From: Jay Shambeau [Shambeau.Jay@co.calumet.wi.us]
Sent: Friday, October 01, 2010 6:36 PM
To: Travis Parish; Mark Radtke; Greg M. Keil; Paula Vandehey
Cc: Mike Ottery; 'Walt Raith'
Subject: Draft Intergovernmental/Jurisdictional Agreements
Attachments: Eisenhower IGA 9-30-10 draft 6 .doc; Jurisdictional Transfer CTH LP draft 4 - 01OCT2010.doc

All,

Please see the attached intergovernmental agreement proposed with the City of Appleton and the Town of Harrison.

Also, please see the attached jurisdictional transfer agreement with the Town of Harrison and the City of Menasha.

These proposed agreements are consistent with our previous discussions and the *Calumet County Urban Trunk Highway Improvement Projects Local Cost Sharing Policy*. Please review and let me know if there is a need for us to meet in person to further discuss. I would be glad to schedule a meeting in the near future.

Thank you in advance,

Jay

Jay Shambeau
Calumet County Administrator
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**JURISDICTIONAL TRANSFER AGREEMENT
BETWEEN
CALUMET COUNTY, WISCONSIN
AND
THE TOWN OF HARRISON
AND
THE CITY OF MENASHA**

WHEREAS, this Agreement, made and entered into by and between Calumet County, (the "County"), the City of Menasha (the "City") and the Town of Harrison (the "Town"), provides for the transfer of the jurisdictional responsibility for a portion of County Trunk Highway LP (CTH LP) from US Highway 10/State Highway 114 to Midway Road.

WHEREAS, Section 83.025(1)(a) Wis. Stats. allows a county to make deletions from a county trunk system with the approval of the Wisconsin Department of Transportation and the majority of the governing bodies of any city, village or town affected by the deletion from a county trunk system; and,

WHEREAS, the parties desire to delete a portion of CTH LP within the City and Town, and as more specifically described below from the county trunk highway system and transfer it to the City and Town system;

NOW THEREFORE, the parties hereto do mutually agree to transfer the jurisdictional responsibility for the highway described below under the conditions described below.

ROUTE DESCRIPTION:

[insert route description here]

RESPONSIBILITIES:

1. The County shall:

- a. Pulverize and pave, in 2011 and 2012, CTH LP from STH 10 to Midway Road at no cost to the City or Town. The estimated cost to pulverize and pave is \$551,000.00.
- b. Remove all CTH LP route markers from the section of CTH LP described above on _____, but will leave all other traffic control devices such as speed limit signs and no parking signs in place for use or disposal by the City and Town.
- c. Transfer jurisdiction of the existing segment of CTH LP as described above on _____ following the completion of the construction described in paragraph a. above and the opening to traffic after construction is completed.

2. The City shall:

- a. Accept jurisdiction of the west side of CTH LP, from the right-of-way to the center of the travelled portion of the highway, from Manitowoc Road to US Highway 10/State Highway 114 (a distance of approximately 0.97 miles) from the County. Jurisdictional transfer includes but is not limited to, by reason of enumeration, drainage structures, lighting, signing, traffic signals, roadway maintenance, and access control.
- b. The jurisdictional transfer shall be at no cost to the City and City shall receive transportation aids commencing January 1, 2013.

3. The Town shall:

- a. Accept jurisdiction of CTH LP from CTH AP to Manitowoc Road (a distance of approximately 0.47 miles) from the County. Jurisdictional transfer includes but is not limited to, by reason of enumeration, drainage structures, lighting, signing, traffic signals, roadway maintenance, and access control.
- b. Accept jurisdiction of the east side of CTH LP, from the right-of-way to the center of the travelled portion of the highway, from Manitowoc Road to US Highway 10/State Highway 114 (a distance of approximately 0.97 miles) from the County. Jurisdictional transfer includes but is not limited to, by reason of enumeration, drainage structures, lighting, signing, traffic signals, roadway maintenance, and access control.
- c. The jurisdictional transfer shall be at no cost to the Town and the Town shall receive transportation aids commencing January 1, 2013.

4. All parties acknowledge that the consent and approval of the Wisconsin Department of Transportation (WisDOT) is required for this jurisdictional transfer and agree to work together to obtain the consent and approval of WisDOT.

SIGNATURE PAGE FOLLOWS

APPROVAL

This Agreement is approved and enacted by:

CALUMET COUNTY:

Jay Shambeau
County Administrator

Date

CITY OF MENASHA:

Donald Merkes
Mayor

Date

Deborah Galeazzi
City Clerk

Approved as to form
Pamela Captain, City Attorney

TOWN OF HARRISON:

Joe Sprangers
Town Chair

Date

Penny M. Weir
Town Clerk

Approved as to form
_____, Town Attorney

Mark Radtke

From: Mark Radtke
Sent: Tuesday, August 24, 2010 7:51 PM
To: 'Jay Shambeau'
Cc: 'Walt Raith'; Don Merkes; Greg M. Keil; 'Joe Sprangers'; 'Mark Mommaerts'; Mike Ottery
Subject: RE: July 15th meeting -- CTH LP

Jay,

The City and the Town have discussed various options for future actions involving CTH LP and Eisenhower Drive. We propose the following:

1. Resurface LP as a rural 2-lane facility when the County deems appropriate (County funded)
2. Participate in the construction of Eisenhower Drive (as scheduled) with the Town of Harrison (STP/local/County funds)
3. Delay the jurisdictional transfer of LP from Lake Park to Eisenhower for 10-15 years, at which time Lake Park Road would be reconstructed to an urban section with the Town and City contributing 25% each and the County funding 50% of the total local share (unknown State/Federal participation). Lake Park Road would be a shared Town/City road following the reconstruction.
4. The City would ask for 1-2 additional access drives along Lake Park Road during the interim period, as the need might arise.

Of course, an inter-municipal agreement or MOA would need to be executed among the three governments prior to this occurrence. Please contact me if you have any questions or if you think a meeting would be of any value for you/us.

Thanks, Mark

Mark Radtke
Director of Public Works
City of Menasha
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mrادتke@ci.menasha.wi.us

From: Jay Shambeau [mailto:Shambeau.Jay@co.calumet.wi.us]
Sent: Wednesday, August 11, 2010 11:56 AM
To: Jay Shambeau; 'Walt Raith'; Mike Ottery; Don Merkes; Greg M. Keil; 'Mark Mommaerts'; Mark Radtke; 'Joe Sprangers'
Subject: RE: July 15th meeting -- CTH LP

All,

Any progress on this topic to date? It has been four weeks since I sent out the attached email. Please reply with an update of any forward movement that has occurred regarding the future of CTH LP.

Thanks in advance,

Jay

Jay Shambeau
Calumet County Administrator

From: Jay Shambeau
Sent: Thursday, July 15, 2010 4:42 PM
To: Walt Raith; Mike Ottery; Don Merkes; Greg Keil ; Mark Mommaerts; Mark Radtke; Joe Sprangers
Subject: July 15th meeting -- CTH LP

All,

Just a quick email to summarize the discussion and next steps regarding the possibility of a jurisdictional transfer of CTH LP from Calumet County to the Town of Harrison and the City of Menasha.

- It appears that the City of Menasha is unwilling or unable at this time to partner with any road improvement or transfer scenario that will incur cost. The City of Menasha indicated that there would be little benefit to their organization if this road was transferred.
- The City of Menasha would consider detachment, but the Town of Harrison has little interest in this proposal.
- Next steps: The City of Menasha will further explore their options with the Menasha City Council and then contact both the Town of Harrison and Calumet County. Walt Raith offered to attend a Council meeting if requested.

Thank you all for your attendance and consideration that is being brought forward to solve this regional transportation proposal.

Jay

Jay Shambeau
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Mark Radtke

From: Jay Shambeau [Shambeau.Jay@co.calumet.wi.us]
Sent: Tuesday, June 29, 2010 1:48 PM
To: Don Merkes; Greg M. Keil; Mark Radtke; Joe Sprangers; Mark Mommaerts
Cc: Mike Ottery; Walt Raith
Subject: CTH LP Estimates

All,

Mike provided the following road construction estimates for your consideration prior to our next meeting on July 15th.

CTH LP (US 10/STH 114 to CTH AP)

- Three-lane "Twiddle in the Middle" *concrete* pavement road construction consistent with the segment in Appleton. This estimate includes a concrete roundabout with lighting at the Manitowoc Road intersection: **\$3,517,000.00**
- Three-lane "Twiddle in the Middle" *asphalt* binder course road construction consistent with segment in Appleton. This estimate includes a concrete roundabout with lighting at the Manitowoc Road intersection: **\$2,806,000.00**
- Reconstruction of existing rural road asphalt construction with no sidewalk, no recreation trail and no roundabout: **\$522,000.00**

Consistent with our previous conversations Calumet County would require a three-way cost share agreement for either of the top two bullets. Calumet County would solely fund the third bullet.

I hope this assists in your deliberation and preparation for the 15th. Please contact me if you need additional information or have further questions.

Thanks,

Jay Shambeau
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